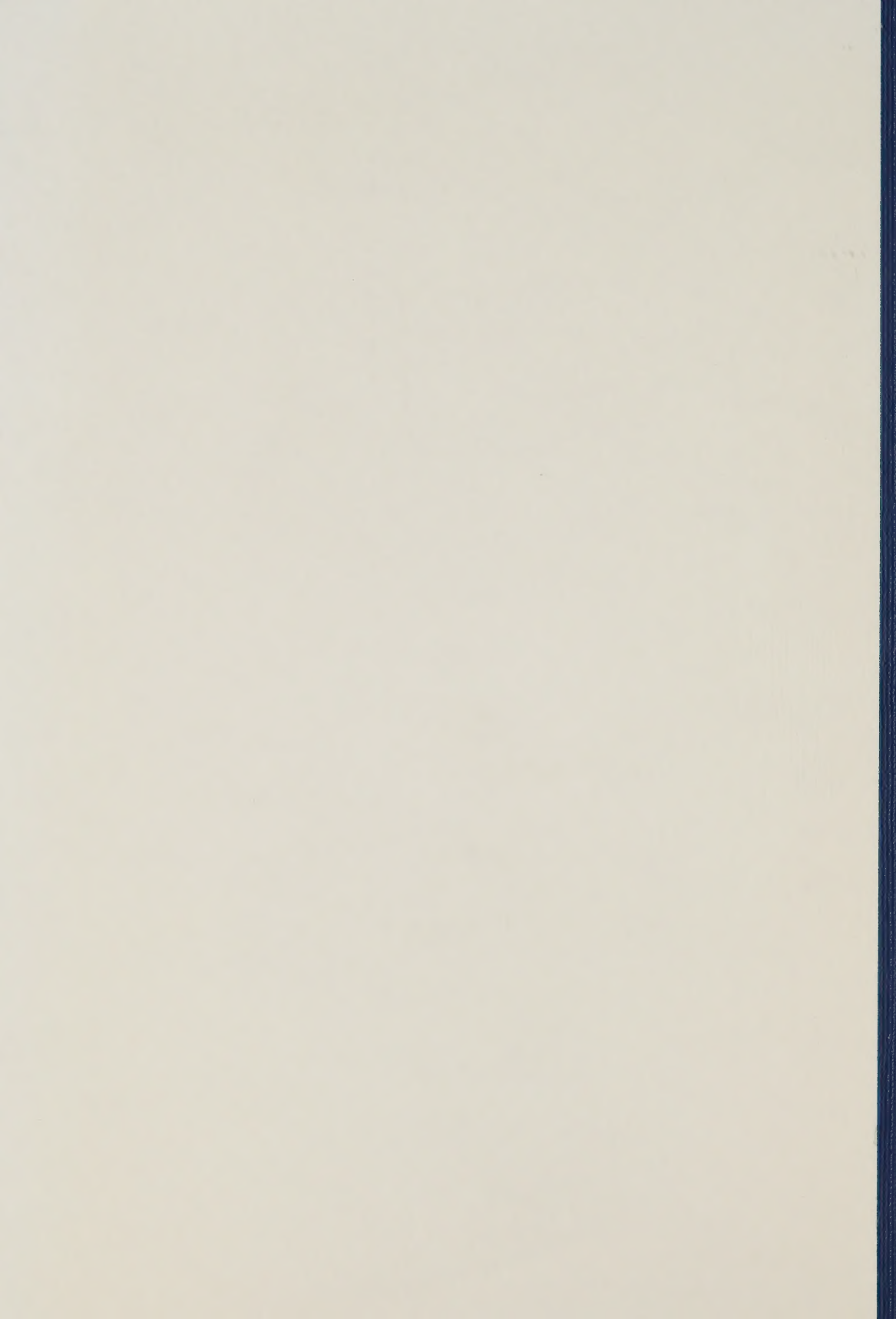


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Employment strategies for  
women in the 1980's:  
recommendations for action





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# EMPLOYMENT STRATEGIES FOR WOMEN IN THE 1980's: RECOMMENDATIONS FOR ACTION

A BRIEF TO THE GOVERNMENT OF ONTARIO



Ontario Status of  
Women Council  
April, 1980



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### Mandate

The Ontario Status of Women Council was established by Order-in-Council in September 1973. Its mandate was revised by Order-in-Council in May 1979:

To advise the Government of Ontario, through the Provincial Secretary for Social Development, on matters pertaining to the status of women and without limiting the generality of the foregoing:

- a) to evaluate and monitor existing legislation, policies and programs related to the needs and status of women
- b) to identify specific areas requiring the attention of government and to recommend legislation and program changes
- c) to consult with groups, hold public meetings and issue position papers outlining alternative policies on specific issues with the purpose of stimulating public discussion
- d) to respond to requests from the Provincial Secretary for Social Development and Ministries for advice and consultation on matters relating to women

Council Members

Lynne Gordon  
Chairperson  
Toronto

Olive Ritchie  
Vice Chairperson  
Hamilton

Marguerite Martel  
North Bay

Muriel Beatty  
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Joan Maw  
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Roberta Jamieson  
Six Nations  
Indian Reserve

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Perth

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Ottawa



Women's participation in the labour force has changed dramatically during the twentieth century. Such change has, of course, been accompanied by other related social changes which reflect trends in the activities and attitudes of all segments of society. The twentieth century has seen an enormous influx in terms of the number of women working outside the home. In 1891, at the time of the first Canadian census, 12.5% of paid workers were women. By 1979, 1,756,000 women working outside the home made up 41% of Ontario's labour force.

Traditionally, women were regarded as temporary workers only. Employers often required or at least expected that women would resign upon marriage or pregnancy. In 1951, only 15% of married women worked outside the home. Today, over half of the married women in Ontario work outside the home. Approximately two-thirds of women aged 25 - 44 are employed outside the home.

Women have traditionally participated in a very narrow range of occupations, most frequently those for which pay, benefits and status have been low. The constraints which led to this job ghettoization were lifted during the two world wars at which time women were permitted to participate more equitably in the labour force. After each war, constraints to equal access were deliberately reinstated and women either left the labour force or returned to the job ghettos.

Despite all resistance, however, there has been steady, albeit slow, change in the participation of women in the labour force. The 1960's and 1970's marked times of major increase in the number of women working outside the home. The 1970's also saw unparalleled changes in the traditional family structure and the traditional patterns of bearing and raising children.

As changes have occurred, governments have made various legislative attempts to address problems and inequities faced by women in the labour force.

"In the 19th century and the first half of the 20th century, legislation with respect to working women focused on working conditions. In the 1950's, there was increasing emphasis on laws requiring equal pay, but it was not until the late 1960's and the 1970's that a spate of legislation was introduced to try to make the early and unsuccessful equal pay laws work, to ban discrimination against female employees, to try to correct the unequal employment opportunities of women and to recognize the different employment conditions necessarily arising from women's child-bearing role." <sup>1</sup>

Despite these efforts, however, continued inequities exist in the occupational and salary status of women in the Province of Ontario. The Ontario Status of Women Council has monitored the rate and nature of changes with respect to women in the labour force and concluded that there is an immediate need for the Province of Ontario to develop a comprehensive employment strategy for women for the decade 1980-1990.

The 1970's represented a period of refinement and reformulation of analyses of some of the major problems encountered by women in the work force. Governments ratified numerous principles and some policy directions related to equal opportunity in the work force. Despite ratification of basic principles, however, the occupational and salary status of women in Ontario's labour force has not shown the anticipated improvement. Women in the province are becoming disillusioned with the Government's attempts to ensure equal employment opportunity. No longer can commitment be measured in terms of ratification of principles. It is time for effective policy and program action designed to measurably improve the training and employment opportunities and occupational and salary status of women in Ontario.

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<sup>1</sup> L. S. Oranoff, Women in Canadian Law, Fitzhenry & Whiteside, 1977



The background paper to this Cabinet Brief presents data which clearly demonstrate the employment-related inequities and systematic disadvantage which women face in the Ontario labour force. The following paragraphs highlight some of the major findings discussed in the background papers.

Child-bearing and child-rearing responsibilities have been one of the major factors inhibiting participation and advancement of females in the labour force. The Ontario Status of Women Council is committed to the belief that the availability of accessible and affordable quality child care is essential to the attainment of full equality for women in Ontario's labour force.

Estimates indicate that between 200,000 and 250,000 children of working women in Ontario are under age five. Many more working women have children between the ages of five and sixteen. To meet the needs of these families, there are approximately 57,000 licensed daycare spaces in centres in the province. In addition, there are just over 3,600 private home licensed spaces. Clearly, there is a severe shortage of licensed childcare facilities in Ontario. As the Ministry of Community and Social Services does not require daycare centres to report each centre's number of subsidized spaces, no accurate figure is presently available on the number of subsidized daycare spaces in Ontario.

This situation has serious implications for the employment opportunities of women in the Province - not only in terms of constraints to entering the labour force, but also in terms of the nature of the jobs women can pursue.

Unemployment rates for females are substantially higher than unemployment rates for males, and the gap has been widening. In 1966, the difference between male and female unemployment rates was 0.8% - a rate of 3.1% for females compared with 2.3% for males. In 1978, when the overall unemployment rate in Ontario was 7.2%, the female unemployment rate was 2.6% higher than the male unemployment rate - 8.3% for females compared to 6.2% for males. During 1979 the overall unemployment rate came down to 6.5%, with the male unemployment rate dropping to about 6%, but the female unemployment rate stayed near 8%.

Although females comprise about 40% of the labour force, they accounted for more than half of the total number of unemployed persons in Ontario during six of the last seven months of 1979.

For those women who do find employment, the chances are much greater than for men that it will be part-time work, whether or not they want or need full-time employment. Furthermore, it will be in one of the handful of occupational groups characterized by stereotyped traditional female jobs. Invariably these jobs are low paying, provide little opportunity for independent judgement or variety, and offer little chance of advancement.

More than two-thirds of all female workers in Canada are concentrated in just four occupational categories - clerical, service, medicine and health, and teaching.

The average earnings for full year female workers in 1977 was 56.5% of full year male workers, and the gap continues to widen. The large and persistent earnings gap between men and women, which is associated with even larger gaps in total compensation when one considers wage-related benefits such as pensions, is extraordinary. It is doubtful whether such a large sustained and systematic earnings differential between any other groups in society would be tolerated with such equanimity as the male/female earnings gap has been tolerated in Ontario.

The patterns described above are demonstrated with greater detail in the background paper. They clearly indicate evidence of a major social and economic problem of inequity in the Ontario labour force. On the basis of a review of the employment status of women in Ontario, the Ontario Status of Women Council urges the Ontario Government



to develop an employment strategy for women in this Province. Such a strategy must produce an equitable labour market which will facilitate:

- For women choosing to work - increased labour force opportunities within the Ontario labour force, including comprehensive quality childcare support services. This would involve a reduction in the female unemployment rate and greater opportunity for equal access to the Ontario labour force.
- To reduce occupational segregation - greater opportunity for women to enter non-traditional and higher paying job sectors of the economy within the Ontario labour force.
- For wage equity - elimination of compensation package disparities between women and men, including both wages and benefits.

The Council has reviewed current programs and policies which either facilitate or inhibit change in women's participation in Ontario's labour force. This review, which is described in the background paper, has led to a series of recommendations.

Full equity of women in the labour force requires strong and visible commitment to that objective by Government. Positive action must be taken to encourage the participation of women in all levels of industry, unions and government throughout the Province of Ontario. The patterns of disadvantage for women in the labour force are clearly pervasive, systematic and have been quite resistant to change.

In order to facilitate real change, rather than merely debate and further study, Council presents here a number of vital recommendations which comprise the essential components of Employment Strategies for Women in the 1980's. This is a concise set of recommendations which must make up the core of any meaningful employment strategy for women. To do otherwise is to pursue piecemeal tinkering. The policy areas covered by these recommendations are inter-related and must be addressed simultaneously.



## RECOMMENDATIONS

### 1. Equal Pay for Work of Equal Value

*That Ontario enact and implement legislation which prohibits the establishment or maintenance of differences in wages between male and female employees employed by the same employer who are performing work of equal value as determined on the basis of the skill, effort, responsibility, and working conditions required for the performance of the work; and that for purposes of this legislation:*

- "wages" be defined broadly to include all forms of remuneration such as employer contributions to pensions, life, and health and disability insurance, and any other advantage received directly or indirectly from the individual's employer;
- wages differentials based upon merit be allowed, but only where there are formalized criteria for such merit differences and these criteria and information on the employee's performance with respect to them are communicated to the employee;

Comment: Differences in pay between individuals of (the same or) different sex based upon merit should be allowed, but merit pay is open to abuse, and implementation guidelines should protect, as well as possible, against such abuse.

- wage differentials based upon differences in seniority be allowed, but that guidelines include limits on the relative weighting that is allowed for seniority in relation to skill, effort and responsibility, and that work-related experience be weighted as an aspect of seniority;

Comment: Historically women have less seniority than men because of child bearing and child rearing. As a result, women are the first to be fired or laid off in periods of economic downturn. To allow wage differences based on seniority discriminates against women. Efforts to redress such imbalances must be made (e.g. accelerated seniority; maternity and paternity leave included in calculating seniority, etc.)

- wage differentials associated with regions be allowed;

Comment: Establishments of the same employer may be located in different regions which have differing general wage levels, and the legislation should permit employers to conform to norms of the particular regional labour market.

- Guidelines must include limits on the relative weighting that is allowed for working conditions in relation to skill, and responsibility;

Comment: Working conditions are justifiable as a factor related to wage differences, e.g. as between two meat cutters doing the same job, but one working in a cold storage room and the other in a normal temperature room. However, remuneration for working conditions can easily be biased in favour of the conditions that characterize men's jobs.

- the provisions of this legislation apply to all employees where there are sufficient employees to enable a fair comparison of jobs;
- wage differentials based upon the distinction between part-time and full-time employees not be allowed;

Comment: More than 25% of women work part-time, compared to 6% of men. Part-time workers should receive prorated pay and benefits.

- that compliance should be enforced on the government's initiative as well as in response to complaints and that tough negative sanctions be enacted to ensure compliance;
- that class action be included in the proposed legislation.

Need to Legislate  
Affirmative Action in  
the Public Sector

Legislated affirmative action in the public sector is urgently needed. The Council supports the changes to the program for women Crown employees introduced in February, 1980, but feels that the program should be strengthened further by providing it with legislative authority. Legislated contract compliance and affirmative action for the private sector should follow. These are described in recommendations 2, 3, and 4, as follows:

2. Legislated Affirmative Action Program for  
Women Crown Employees

*That the government of Ontario legislate its affirmative action program for women Crown employees to ensure equal opportunity for women in the Ontario Public Service. Past discrimination and historical imbalances in the occupational and salary status of women Crown employees must be redressed. The legislation would:*

- provide authority to give preference to women in order to speed up improvements to their occupational distribution;
- establish penalties for noncompliance.



Need to Phase in Contract Compliance  
and Legislated Affirmative Action  
in the Private Sector

The Council feels strongly that there is a need at this time for legislated affirmative action for the private sector (Recommendation # 4). Council recognizes that such a program will require considerable time and effort for development. In order to phase in the program, it is recommended that the Government begin by developing a legislated contract compliance program (Recommendation # 3). As a first step in phasing in the more comprehensive affirmative action program, legislation could also be introduced, requiring all employers to provide data on the number of women on their payroll and the percentage of the payroll women receive.

3. Contract Compliance

*That the Ontario Government and the Federal Government\* adopt a program of contract compliance designed to ensure that:*

- *Equal employment opportunity principles are followed by all Government contractors and sub-contractors;*
- *Government contractors undertake affirmative action to ensure such equality of opportunity for women;*
- *Organizations, agencies and institutions receiving government grants undertake affirmative action to ensure equality of opportunity for women.*

*The following should be incorporated in such a program:*

- an initial 5-year pilot project of contract compliance be developed and implemented, with a full independent review at the end of the 5-year term;
- contract compliance be applicable not only to "supply and service" companies but also to all groups, including companies, agencies, sub-contractors, institutions, associations and governments which are provincially funded or which receive government grants;

Comment: Consideration will have to be given to size of group and amount of contract when determining the detailed mechanisms for administering the program.

\* We recognize that several of the recommendations in this Brief do not fall directly within the Province's mandate. We feel confident however, that the Province is able to influence decisions in other jurisdictions.

- a written Affirmative Action Plan (AAP) which includes goals and timetables be submitted at the time the contract is entered into. As a minimum, this plan should include data on the number of women on the payroll and the proportion of the payroll women receive.
- a graduated penalty system should be introduced to precede contract cancellation and debarment of future contracts.
- the contract compliance program be within the aegis of the Ministry of Labour;
- a strong public awareness and education program be a fundamental component of the contract compliance program;
- contracts must be linked to affirmative action plans which set aside a certain number of spaces for skilled labour jobs and skilled labour training/apprenticeship programs for women.

#### 4. Affirmative Action for the Private Sector

*That the Ontario Government develop legislation designed to ensure equal opportunity through affirmative action in the private sector. This would require all employers in the province to develop affirmative action plans that would serve to redress imbalances in the occupational and salary status of women employees. Legislation should ensure:*

- that a monitoring and enforcement agency be established to review affirmative action plans, monitor progress, review complaints and apply sanctions;

- that employers submit a written affirmative action plan that includes goals and timetables to the designated monitoring body; minimally, employers should provide annual data on the number of women on their payroll and the percentage of the payroll women receive.
- that a graduated penalty system be introduced;
- that 'good faith' efforts be considered in assessing progress.

##### 5. Comprehensive Child Care Policy

*That Ontario develop a comprehensive child care policy designed to increase the availability of accessible, affordable child care in the province. The policy should recognise child care is a vital family support service for anyone who needs it. Funding should not be exclusively for the socially assisted segment of our society. Funding of child care should be based not only on a social welfare model, but also on an educational model. As a first step in the development of program elements in a comprehensive child care policy, the Government of Ontario should:*

- enter into discussions with the Federal Government to renegotiate the present child care funding arrangement under the Canada Assistance Plan;

Comment: The purpose of these negotiations would be to move away from the present welfare orientation of child care funding, through having federal funds distributed to the provinces without the current limitations imposed by the Federal Government. A new arrangement should be made whereby the province receives funds, but these are not earmarked to be administered in any specific manner. This would permit the Province to administer child care funds in a manner consistent with the child care objectives and goals of the province.



- increase the total budget allocation for child care, including a major funding program to provide direct funding to municipalities, non-profit organizations and agencies to increase the number and accessibility of group child care spaces;
- introduce a graduated system of tax credits for child care expenses similar in structure to the property tax credit system;

Comment: The tax credit system should be introduced within the context of a major increase in total budget allocation for child care.

- modify the formula for child care subsidies (including Form 7) to expand availability of supervised child care to middle income families;
- expand the use of existing surplus classrooms for community schools which will provide child care and community centre programs in addition to existing elementary education programs. In order to develop this plan, an inter-ministerial steering committee should be set up, composed of representatives from: Ministry of Education and Colleges and Universities, Ministry of Culture and Recreation, Ministry of Health, Ministry of Intergovernmental Affairs and Ministry of Community and Social Services;

Comment: Data should be collected and published on a province-wide basis showing the number of schools which are anticipated to be shut down, by district and classroom size so that a realistic projection of the cost of using these classrooms for childcare can be made. The implications of including daycare facilities in new residential and commercial facilities should be explored.

- establish a province-wide centralized public information child care referral system through the educational system for use by parents seeking information on child care programs available in their community for both pre-school and school-age children;
- institute optional full-day senior kindergarten for five-year olds in those schools where the staff and facilities make a full-day program possible;
- child care facilities should be available 24 hours per day to assist professional and shift workers and to help parents cope with emergency situations;
- expand the role of the Children's Services Division to work with unions, industry and other organizations to set up child care programs;
- encourage the Quality of Work Life centre in the Ministry of Labour to address the child care needs of parents in the labour force;
- encourage management and unions in both private and public sector to address the child care needs of their employees;
- establish a tax incentive to encourage employers to provide workplace child care facilities where possible and desired;
- ensure that child care services in the home can be set up as a small business in order that care givers can deduct expenses and that a formal schedule indicating deductions be incorporated into the Income Tax Act;

## 6. Women in Non-Traditional Jobs

*That Ontario develop a program to increase the participation of women in non-traditional jobs, especially the skilled trades, in the Province.*

Comment: The Council realizes that the majority of funding for training women for non-traditional jobs comes from the Federal Government. However, the province can use its bargaining power to gain benefits for Ontario women only if it has a detailed employment strategy plan with firm targets. The province also has an important role to play in educating women as to the opportunities available to them in non-traditional occupations and it can also urge employers to accept more women into non-traditional occupations.

This should include:

- setting, monitoring and enforcing annual targets for women's participation in skilled trade apprenticeship and training programs;
- establishing of pre-apprenticeship training programs specially designed to recruit and prepare women for skilled training opportunities;
- providing information in all vocational training programs on the changing role of women in society, their legislated rights, their participation in the workforce, etc.;
- mandatory awareness-training for guidance counsellors and teachers at the public school and high school levels;
- a major review of the entrance requirements and procedures to skilled trades training programs and jobs to determine their effect on women's access to skilled trades;
- an increased commitment to the awareness/education program to publicize and improve the image of women in non-traditional jobs;



- encouragement to the private sector to expand on-the-job training programs which include quotas for female participation.
- ensure that government training grants and programs, such as the Employment Development Fund, contain a proviso requiring Affirmative Action programs.
- encouragement to employers to take responsibility for training in order to provide the skilled labour force required in Ontario.
- increased financial and other resource support for the existing Federal Program, Introduction to Non-Traditional Occupations;
- mandatory awareness-training for: (a) apprenticeship counsellors; and (b) manpower training staff who interact directly with the public;
- a well-publicized information and counselling service for women wanting information on non-traditional job opportunities and training programs. This service should also assist with the problems faced by the first wave of women in the skilled trades.

#### 7. Human Rights Legislation

*That the Ontario Government amend the Human Rights Legislation to include:*

- *a proviso for class action;*
- *a proviso for the redress of sexual harassment;*
- *a proviso for the Commission to order an Affirmative Action Plan.*

### 8. Pensions

*That the Government of Canada introduce into the Canada Pension Plan a provision to allow women to receive credit toward their Canada Pension for time spent out of the workforce rearing children.*

Comment: Council urges acceptance of the principle that the cost of perpetuating this society should be shared by everyone. Society has allowed women to bear the economic burden of child bearing, especially in cases where there is marriage breakdown, widowhood or divorce.

Council supports the dropout provision as a first step in recognizing that child rearing is a basic part of the economy which is deserving of economic recognition. The Government of Ontario is urged to remove its opposition to the dropout provision.

*That people who work in the part-time labour force should receive equal benefits in relation to the hours worked. As a general principle, workers and their employer should contribute to pension plans regardless of hours worked.*

Comment: The Council feels that pensions are a right in employment. Women should not be discriminated against in respect of any term or condition of employment - including pensions.

*That the Government of Ontario oppose the continued use of actuarial tables to justify paying unequal benefits for men and women as it would oppose the use of any arbitrary measure which served to justify differing treatment based on sex.*

*That pensions should be portable and the requirement for service and age be liberalized so that women are not penalized as to their eventual pension benefits.*

*That the policy for granting public pensions such as Family Benefits and General Welfare progress from the historical and sexist assumption that the man is automatically the head of the household to a policy which would allow either spouse to assume that role.*

9. Unemployment Insurance

*That the Federal Government reject the concept of the two-tiered system as a basis for the assignment of benefits for the Unemployment Insurance program because it assigns benefits on the basis of the family rather than work and disproportionately reduces the benefits owing to women whose benefits are already lower than men's due to their lower salary level.*

Comment: The Federal Government should seek more comprehensive and responsible methods to reduce the cost of the U.I. program that do not penalize women - such as the integration of the U.I. program with a stronger employment strategy for women.

*That the Federal Government reject the concept of a 20-hour weekly minimum for insurability.*

Comment: Because of the large number of women who work part-time, women disproportionately suffer from the establishment of a 20-hour weekly minimum for insurability, i.e. 2.4% reduction of the total benefits paid to female claimants compared to a 0.7% reduction for male claimants.

10. Immigrant Women

*The Council is currently preparing a major report concerning immigrant women. This report will be presented to the Government with a full set of recommendations.*



11. Domestic Workers

That all labour-related legislation be reviewed with consideration given to expansion to cover the live-in domestic worker and that a special standard for domestic workers be included in the Employment Standards Act.

12. Maternity/Paternity Issues

That the Employment Standards Act be changed in order to:

- prohibit dismissal or demotion for pregnancy for all female employees, regardless of length of service or eligibility for leave;
- provide for maternity leave after one year of service, instead of one year and eleven weeks as it is in the present legislation;
- place the onus of proof of non-violation on the employer who is alleged to have contravened the provisions of the Act;
- provide for paternity and adoption leave.





